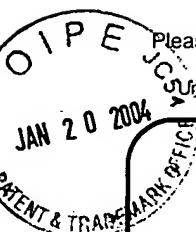


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TRANSMITTAL FORM

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		Application Number	10/712,745
		Filing Date	11/13/2003
		First Named Inventor	Barrie P. Swain
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	7851

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Applicant believes that all appropriate fees are hereby paid, but authorization is hereby given to charge Deposit Account No. 18-0882 for any fee deficiency or credit any overpayment.	

Antonia M. Holland
Antonia M. Holland

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Antonia M. Holland	
Signature	<u>Antonia M. Holland</u>	
Date	January 15, 2004	

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MW/1053001AMH:KAB



Attorney's Docket No. 7851

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

In re application of: Barrie P. Swain

Group Art Unit:

Serial No.: 10/712,745

Filed: November 13, 2003

For: SADDLE TREE INCLUDING A PROGRESSIVE FLEX HEADPLATE
ASSEMBLY

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF
FIRST OFFICE ACTION (37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

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IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Dated: January 15, 2004
Reg. No. 53,840
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/712,745
		Filing Date	11/13/2003
		First Named Inventor	Barrie P. Swain
		Group Art Unit	
		Examiner Name	
Sheet	of	Attorney Docket Number	7851

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-303,152	08-05-1884	Hahn	
		US- 564,976	08-04-1896	Dersch	
		US- 1,154,003	09-21-1915	Downing	
		US- 1,246,675	11-13-1917	Stewart	
		US- 2,208,303	07-16-1940	Frueh	
		US- 3,740,792	06-26-1973	Werner	
		US- 3,835,621	09-17-1974	Gorenschek	
		US- 4,765,126	08-23-1998	Bates	
		US- 4,996,827	03-05-1991	Pellow	
		US- 5,175,986	01-05-1993	Farley	
		US- 5,517,808	05-21-1996	Schleese	
		US 6,263,647	07-24-2001	Walkley	
		US- 6,363,698	04-02-2002	Swain	
		US- 6,370,849	04-16-2002	Merker	
		US- 6,484,480		Rauch	
		US- 6,523,332	02-25-03	Erb	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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